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Sent: Thur 4/10/2014 1:18:57 PM
Subject: EPA Mid-Atlantic Region Headlines -- Thursday, April 10, 2014

EPA Mid-Atlantic Region Headlines

Thursday, April 10, 2014

***** DAILY HOT LIST *****

McAuliffe: Climate change is real and humans have a hand in it

ROANOKE TIMES LEXINGTON — Virginia's governor on Tuesday told a gathering at the Environment Virginia Symposium something they hadn't heard from that office in four years: Climate change is real, humans have a hand in it and the commonwealth's coastal communities are under a great threat. "If we want to help the environment tomorrow, we have to make smart, common-sense decisions today. The first big decision is to accept climate change is real," Gov. Terry McAuliffe said. "I believe humans contribute to climate change. I think it's pretty much settled. I think the impacts are felt today." McAuliffe's remarks were met with a round of applause by local government officials, policymakers and environmentalists who were gathering Tuesday afternoon for a three-day environmental symposium at Virginia Military Institute. The governor plans to reactivate a climate change commission to advise him on what can be done to protect Virginia. The new governor said the National Oceanic and Atmospheric Administration pegs the Hampton Roads area as the second-most vulnerable in the nation, right behind New Orleans. "It rains a day or two or three, and their roads are shut down. That's just rain," he said. "We cannot afford to ignore this. We've got to prepare our coastal communities to deal with climate change and all natural disasters." McAuliffe expanded on his remarks in a brief meeting with the media. "I don't think we have paid attention. The climate change commission hasn't met in four years, and, as you know, we had an attorney general who didn't believe in climate change," he said, referring to his Republican opponent in last fall's gubernatorial campaign, who, while attorney general, sued the University of Virginia to obtain communications by a well-known climate scientist.

A flood of optimism on nutrient pollution

SALISBURY DAILY TIMES Wicomico River report mixed, but kindles hope cleanup efforts are working. It's not often that Wicomico Creekwatchers science coordinator Judith Stribling describes sharp increases in nutrient pollution as a good thing. But 2013 was an unprecedented year in the 11 years that the group has been collecting water-quality information on the Chesapeake Bay tributary. After three years of drought, the traditional sources of nutrient pollution — animal waste, over-fertilized lawns and farms, septic system drain fields — had become stockpiles of nitrogen and phosphorus. Then, the skies opened up, and the 47 inches of

precipitation that followed sent that pollution gushing into the Wicomico River. “It was almost like a worst-case scenario last year,” said Stribling, a Salisbury University biology professor, “but there’s some evidence that things are better than the long-term average.” Contaminant levels were higher almost across the board compared with 2012, when a mere 38 inches of rain fell across the 180-square-mile watershed. Yet, of the four regions of the river monitored by the Creekwatchers, nitrogen concentrations were lower than the 2006-2011 average in the ponds and the upper portion and about the same in the lower portion and Wicomico Creek, the group said in its annual report. Phosphorus concentrations were below average levels in the same areas, but they exceeded the average in the lower river and Wicomico Creek. Those long-term improvements may suggest that efforts to curb nutrient pollution are starting to work, Stribling said. “This is probably the coolest (annual report) yet,” she added. “Last year was better, but it was like, well, it’s because things were dry. But this time you can say things really are better.” Efforts big and small likely influenced the results, Stribling said. She cited the city of Salisbury’s storm drain filters, beefed-up state stormwater regulations on new development, cover crops planted by farmers and efforts to educate homeowners about fertilizer use. “That is good news for us,” said Lee Richardson, a Willards farmer and a former president of the Wicomico County Farm Bureau. “We’ve done a lot of things, but haven’t seen any improvements.”

Coal companies claim EPA boss not doing her job

WEST VIRGINIA RECORD WHEELING – A dozen coal and energy companies have filed a federal lawsuit claiming the the administrator of the Environmental Protection Agency is not doing her job correctly in regards to the Clean Air Act. The companies filed the lawsuit March 24 in U.S. District Court in Wheeling, claiming Gina McCarthy, as administrator of the EPA, is required to “conduct continuing evaluations of potential loss or shifts of employment which may result from the administration or enforcement of the provision of (the Clean Air Act) and applicable implementation plans, including where appropriate, investigating threatened plant closures or reductions in employment allegedly resulting from such administration or enforcement.” The plaintiffs are Murray Energy Company, Murray American Energy Inc., The American Coal Corporation, The Harrison County Coal Company, KenAmerican Resources Inc., The Marion County Coal Company, The Marshall County Coal Copmany, The Monongalia County Coal Company, OhioAmerican Energy Inc., The Ohio County Coal Company and UtahAmerican Energy Inc. The companies claim McCarthy has not taken such actions and, in fact, has enforced the Clean Air Act “in a manner that is causing coal mines to close, costing hard-working Americans their jobs, and shifting employment away from areas rich in coal resources to areas with energy resources preferred by the Agency.”

Commentary: The EPA's 'technically feasible' standards

WEST VIRGINIA METRO NEWS The EPA’s bait-and-switch on coal continued this week in Washington. During a Senate hearing on the EPA’s budget for 2015, administrator Gina McCarthy tried her best to argue that all the agency is really trying to do is give coal a path forward to continue to be part of the nation’s energy portfolio. The “bait” the EPA tosses out is carbon capture and sequestration (CCS), the technology that removes carbon dioxide produced during the burning of coal and other fossil fuels. The EPA says it has a responsibility under the Clean Air Act to reduce CO2 emissions and other greenhouse gases because they affect the climate. The EPA’s new standards for CO2 make it impossible to build a coal-fired power plant

in the future without CCS. The problem, however, is that no one really knows whether the economics of CCS work. Senator John Hoeven (R-N.D.) tried to pin McCarthy down Wednesday, arguing the new carbon emission standards for coal-fired power plants are not achievable because “carbon sequestration is not commercially viable.” In her response, McCarthy chose her words carefully. “We believe carbon capture and sequestration is actually *technically feasible* (emphasis added).” Hoeven interrupted McCarthy. “I did not say ‘technically feasible,’ I said ‘commercially viable.’” McCarthy said the term “technically feasible” is the standard of the law, which means only that the EPA *projects* that the technology will be available when a power plant is built. Well, a manned mission to Mars is technically feasible, but that doesn’t mean we’ll be going anytime soon.

Area ranks second in green-building count

WASHINGTON POST The Washington area has the second-largest number of green buildings in the country for the fifth year in a row, the Environmental Protection Agency announced Thursday. The region grabs the No. 2 spot, with 435 Energy Star-certified buildings that often use at least a third less energy than comparable buildings by improving central heating and lighting efficiency, increasing rain runoff collection and other measures, the EPA said. Los Angeles has the most Energy Star-certified buildings, with 443; there are 23,000 Energy Star-certified buildings nationwide. Atlanta and New York City were named third and fourth in the ratings, respectively. Energy Star-certified buildings in the Washington area include the French and Swedish embassies, the American Society of Landscape Architects, Ashburn Elementary School in Ashburn, Va., Verizon Wireless in Falls Church, Va., and Sunrise Assisted Living in Arlington, Va.

County may join Freedom suit

CHARLESTON GAZETTE Members of the Kanawha County Commission may be joining a potential lawsuit against Freedom Industries. Kanawha County Commissioner Dave Hardy will ask fellow county commissioners Kent Carper and Hoppy Shores to vote on whether to join in on any lawsuit filed against the chemical storage company at a regular county commission meeting next week. “As guardians of the taxpayers’ dollar, I don’t think we have any choice,” Hardy said Wednesday. “The county has definitely suffered some economic damage from the event.” On Jan. 9, Freedom Industries leaked more than 10,000 gallons of the coal-cleaning chemical Crude MCHM into the Elk River, not far from West Virginia American Water’s main water intake. The spill contaminated drinking water for 300,000 people in nine counties, shut down restaurants and cost local governments hundreds of thousands of dollars. Hardy said just the overtime costs for the Kanawha County Sheriff’s Department during the spill and its aftermath come to about \$168,000. On Tuesday, the Kanawha-Charleston Health Department’s board of directors voted to join the city of Charleston if city officials sue Freedom Industries over losses from the chemical spill. Dr. Rahul Gupta, chief health officer for the health department, said the department would sue to try to recover part of the \$200,000 the health department lost because of the spill.

McCarthy Open to Changes on Clean Water Act Jurisdiction

BNA DAILY ENVIRONMENT REPORT The Environmental Protection Agency could

finalize a regulation clarifying its authority under the Clean Water Act in “about a year” and has “not made any decision” about the proposed open-pit copper and gold Pebble Mine in Alaska, according to EPA Administrator Gina McCarthy. McCarthy said the one year estimate for a final rule wasn't firm because the agency would take “whatever time it takes” to get the Clean Water Act jurisdiction rule right. She said the agency would make changes to language in the proposal or rethink its approach based on significant additional outreach efforts it planned to undertake. Speaking before a Senate Appropriations subcommittee, McCarthy also said the agency would “likely” finalize its 2014 renewable fuel standard in June. She also fielded concerns from Republicans about the impact the agency's forthcoming carbon pollution regulations for power plants would have on the national economy. Democrats and Republicans also criticized the EPA's proposed cuts of \$581 million to the EPA's clean water and drinking water state revolving funds. President Barack Obama's proposed \$7.89 billion budget for the EPA in fiscal year 2015 was the subject of the hearing, although discussions focused heavily on non-budgetary issues.

EPA Workforce Cuts to Affect Technical Assistance, Grants

BNA DAILY ENVIRONMENT REPORT A reduced workforce at the EPA owing to spending constraints will affect the level of grants and technical assistance that the agency can offer to states and localities, EPA Deputy Administrator Perciasepe says. He tells the National Clean Water Policy Forum that the EPA is reducing its workforce by almost 2,000 people. On April 4 alone, Perciasepe says, 450 people left the agency under a voluntary retirement program. [More »](#) ... In light of the January chemical spill into West Virginia's Elk River, drinking water utilities ought to begin updating their source water protection plans to be prepared for threats to supplies, Perciasepe says. [More »](#) ... The EPA plans to propose revisions to its 20-year-old lead-and-copper drinking water rule after an agency working group completes its deliberations, which should take “about a year,” the agency's top drinking water official tells the forum.

PENNSYLVANIA

PHILADELPHIA INQUIRER

[Bipartisan group of lawmakers calls for gas tax](#) Citing a projected budget deficit, a bipartisan group of lawmakers from the House and Senate joined today to call on their colleagues to pass a Marcellus Shale gas drilling tax. The lawmakers said the state could generate close to \$1 billion with a shale tax of as much as 6 percent. Gov. Corbett and Republican legislative leaders have stood firm against the shale tax, fearing it would threaten the economic growth of the industry. But lawmakers speaking at a news conference in the Capitol said Pennsylvania is poised to become the second leading producer of natural gas behind Texas and that drillers can well afford to contribute more to the state economy. “Pennsylvania is the only state in the nation that does not impose a severance tax on natural gas,” said Sen. Vincent Hughes, (D., Phila.) the ranking Democrat on the Senate Appropriations Committee. “We all agree that we need legislation that will correct this policy failure and generate funding for critical needs, including education.” Hughes said the lawmakers were not uniting behind a particular plan (there are at least three separate shale tax bills that have been introduced) but rather hoping to spark discussion that could lead toward an agreeable compromise as the budget season progresses this spring. “This is

a critically important issue for Pennsylvania,” said Rep. Gene DiGirolamo (R., Bucks), sponsor of one of the bills. “We’ve got an awful lot of challenges with the budget.” DiGirolamo said he believed 25 to 30 Republicans would support a fair shale tax proposal. Senators John Yudichak (D., Carbon) said he wants to debunk the myths that the drilling jobs will disappear with a tax. “It is shortsighted and we are shortchanging the people of Pennsylvania,” he said. A spokesman for the Pennsylvania Chamber of Commerce said lawmakers are ignoring the high taxes businesses already pay in the state.

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PITTSBURGH POST-GAZETTE

NAPE Expo kicks off today in Pittsburgh The North American Prospect Expo -- which organizers call the largest expo for oil and natural gas prospects to make contacts and deals -- is kicking off today at the David L. Lawrence Convention Center in Downtown Pittsburgh. NAPE first came to Pittsburgh in 2013. The three-day expo has been held in Houston for years and added a Pittsburgh conference here to capitalize on the rapid development of the Marcellus and Utica shale plays and reach companies that can't always make it to Texas. NAPE East expects to draw about 2,500 attendees over the next several days. NAPE was formed in 1993, and is a partnership between the American Association of Professional Landmen, the Independent Petroleum Association of America, the Society of Exploration Geophysicists and the American Association of Petroleum Geologists. For more information, visit www.napeexpo.com.

PITTSBURGH TRIBUNE REVIEW

State DCED secretary predicts Mon Valley's industrial rebirth Decades ago, Pennsylvania failed to protect such basic industries as steel, rail and coal, C. Alan Walker said in a presentation Tuesday on the region's economy. That led to the “deindustrialization of our economy,” the state Department of Community and Economic Development secretary said. “But that's about to change,” said Walker, who spoke Tuesday at the Willow Room in Rostraver Township. The event was sponsored by the Mon Valley Regional Chamber of Commerce, the Mon Yough Chamber of Commerce, the Mon Valley Progress Council and the Greater Rostraver Chamber of Commerce. Walker discussed Gov. Tom Corbett's JOBS1st PA initiative and the state economy. He said the state is well positioned to take advantage of a natural gas boom. JOBS1st PA focuses on two core areas: Make It in PA and Talented Workers. Under Make it in PA, Corbett's proposed budget provides an increase of \$600,000 to help Pennsylvania companies export products to international markets and to attract new foreign direct investment. Pennsylvania companies increased exports by 5.4 percent in 2013. He pointed to World Kitchen in Charleroi, which was represented at the luncheon, as a local example of that success. Talented Workers includes a \$2 million allocation to the Workforce & Economic Development Network of Pennsylvania to train an additional 10,000 employees. “The governor recognizes that nothing is more critical to growing the economy than a talented work force,” Walker said. Walker criticized Democratic gubernatorial hopefuls for claiming the administration has cut education funding.

Allegheny County sets meetings on gas drilling in Deer Lakes Park The Allegheny County Council Parks Committee will hold three meetings this month to address issues surrounding a proposal to drill for natural gas under Deer Lakes Park. The meetings will start at 5 p.m. and

could be held in the Gold Room at the county courthouse, said council Vice President Nick Futules, D-Oakmont, chair of the Parks Committee. A meeting on April 16 will address environmental and safety concerns. The April 23 session will deal with environmental issues. A meeting on April 30 will address economic factors. Opponents to drilling under the 1,180-acre park in West Deer and Frazer have voiced concerns about similar topics at County Council meetings since August. Protect Our Parks, a group urging council to vote against drilling in the park, will hold a meeting at 10 a.m. Saturday in East Liberty. The County Council committee meetings will include experts on the topics, and council members will be able to ask questions. The public is invited but will not be able to speak, Futules said. Councilwoman Sue Means, R-Bethel Park, asked Futules at a meeting on Wednesday if Canonsburg attorney John Smith would be able to address the committee. Smith argued objections to Act 13, the commonwealth's drilling law, before the state Supreme Court, causing the court to overturn portions of the law. He was scheduled to address the Education Committee in March, but that meeting was canceled.

STATE IMPACT PENNSYLVANIA

Chevron blocked access to DEP after fatal well fire in southwest Pa. When a Chevron natural gas well exploded in Greene County, killing a worker, the company blocked personnel with the state Department of Environmental Protection from accessing the site for nearly two days. The DEP acquiesced, despite its regulatory authority. Now, that issue is one of nine violations the DEP outlined in a letter to Chevron last month. The fire started early on Feb. 11 and continued to burn for five days. When a DEP emergency crew first arrived on the scene in Dunkard Township, Chevron told them to stay away from the site and not to drive their vehicle on the access road. The crew was also blocked from parking an emergency vehicle at a nearby command center. "They were not allowing anybody close to that well pad and I think that our feeling though was, as a regulatory agency, we want to be there, we want to see it, we want to know what Chevron is saying," DEP spokesman John Poister said. Drilling companies are always required to grant access to DEP officials, regardless of the circumstances, according to their state-issued permits. When asked why the agency did not enforce its right to access the site, Poister told StateImpact Pennsylvania the agency did "strongly" express its concerns to Chevron and that the relationship between the company and the DEP improved over time. "When the secretary arrived the day after, we were given much more access," Poister said. Secretary Chris Abruzzo told reporters two days after the fire started that he had been able to see the charred well pad from about 500 yards away and could see methane gas "shooting out" of the wellhead.

CRANBERRY EAGLE

Parents seek safety zone around schools A determined group of parents in the Mars School District has embarked on a concerted effort to have a two-mile safety zone overlay placed around the five schools along Route 228 in anticipation of six Marcellus Shale gas wells that are planned for a nearby farm. But the landowner where the wells are proposed, who is the former Mars School Board president, said she is educated on the industry and trusts state legislation on unconventional gas drilling. "I think the schools are going to continue to be safe," Kim Geyer said. Parent Charles Clark has spoken at the Adams and Middlesex township supervisors meetings and before the Mars School Board regarding the potential danger to students from an accident at the wells. The mission of Clark and a number of other parents since early March has been to prevent the wells from being placed at the farm of Bob and Kim Geyer by educating the supervisors on their rights regarding their zoning ordinances when it comes to unconventional

drilling.

ELLWOOD CITY LEDGER

New greenways plan to focus on Ellwood parks NEW CASTLE -- With the Lawrence County Planning department prepared to stamp its 2008 greenways plan "Mission Accomplished," officials are preparing to work on the next version. And that plan will probably focus heavily on Ellwood City's two largest parks, thanks in part to a \$30,000 commitment the borough has pledged to the creation of a new greenways plan. "They're going to get a little bit extra attention because they've put in additional money," said planning director Amy McKinney of Ellwood City and two other municipalities that have promised funds for putting together a plan. "But the entire county is going to get something out of this." Ellwood City has made the largest commitment, but Union Township is putting in \$22,500, and New Castle will contribute \$25,500. On Tuesday, the Lawrence County Commissioners gave the planning department permission to apply for a grant to cover the cost of assembling a plan and committing \$30,000 in county funds for the work. The greenways plan will be a set of environmental and recreational objectives for parks and public wilderness in the county for use and marketing of those facilities. McKinney and Doniele Russell, greenways coordinator for Beaver and Lawrence counties, said the department has successfully completed 95 percent of the projects it touted in the 2008 greenways plan. Those projects included renovation of the Stavich Bike Trail, which runs west from Union Township, through Mahoning Township and into Ohio, and construction of boat launches in Wayne Township and Mahoning Township. The estimated cost for the plan will be \$240,000, with more than \$100,000 coming from Lawrence County and the three participating communities. McKinney said grant funding is expected to cover the remaining cost.

HARRISBURG PATRIOT NEWS

Export Pa. gas before I can get it at my house? No Way So we are overflowing with natural gas due to the Marcellus shale drilling, yet who benefits? Not I or my neighbors. Why? Because we can heat our homes with wood, coal, electric or oil or propane, the state and federal government will not force UGI or any other natural gas company to install service lines so all citizens can be afforded economical heat. What the state and federal government will do, though, is ask for the construction of plants that will allow the cheap natural gas to be shipped overseas, while my neighbors and my family shiver and swelter because we're being drained dry by high heating costs. I say enough is enough rhetoric about shipping Pennsylvanian natural gas overseas. When every Pennsylvanian household is able to heat with natural gas, then we can discuss the shipment of natural gas to Europe.

Havre de Grace and Columbia picked for Smithsonian Magazine's 20 best small towns to visit: Not far by car This month, Smithsonian Magazine features the "20 best small towns to visit" in 2014. Two of their picks -- Havre de Grace, MD, and Columbia, PA - are not far by car. Fifty-five miles apart, the towns have some similarities. Both hug the Susquehanna River, both were targets in a war, and both have unique museums. The 20 towns were selected, Smithsonian says, for "enrichments unbothered by the growl of our increasingly urban lives" that they encountered on their third annual "search and enjoy" mission. All 20 towns have fewer than 15,000 residents. Having never been to Havre de Grace, I headed down to the small town of 13,000 where the Susquehanna River meets the Chesapeake Bay. Eighty-three miles from Harrisburg, halfway between Washington, D.C. and Philadelphia, I found history, small museums, quirky shops,

restaurants and an interesting place to spend the night. The town also has a slew of antique shops, including a co-op in what was once one of the town's nine waterfront canneries.

LANCASTER NEWSPAPERS

Court blocks use of eminent domain on pipeline to pass through Lancaster County York County landowners affected by the same proposed Marcellus Shale pipeline that would run through Clay and West Cocalico townships in Lancaster County have won a court battle blocking Sunoco Logistics from condemning their land. In a March 25 ruling in York County Common Pleas Court, Judge Stephen Linebaugh reaffirmed his previous ruling that Sunoco was a pipeline carrier, and not a public utility, and therefore had no eminent domain powers. Officials for Williams Partners, which wants to build a 35-mile Marcellus Shale natural gas line the length of Lancaster County, north to south, said Wednesday that the court case has no bearing on their project. "It is not an apples to apples comparison. This decision does not apply....," said Chris Stockton, spokesman for Tulsa-based Williams. Stockton said Williams is under the jurisdiction of the Natural Gas Act, not the Interstate Commerce Act like Sunoco, and would need to get its power of eminent domain if the project is approved by the Federal Energy Regulatory Commission.

Earl Township to adopt new stormwater plan next month Earl Township supervisors are finalizing plans for their updated stormwater management ordinance. The ordinance is set to be officially adopted at the May supervisors meeting. Municipalities across Lancaster County are required to adopt ordinances before the state-mandated deadline of May 7. The new ordinances are designed to help limit stormwater runoff to the Chesapeake Bay. "Our ordinance has to be consistent with the county's plan," solicitor William Cassidy explained during the April 7 supervisors meeting. Cassidy said he and township engineer Charles Haley reviewed the document for consistency. The Earl Township ordinance utilizes the Lancaster County model, with a few added revisions. "When the state first mandated this update, they did not allow for any exemptions," township secretary/treasurer Brenda Becker said April 8. "Anything you did, including sheds, required stormwater management." The revised ordinance allows one-time exemptions for structures under 1,000 square feet. "In our provision," Becker said, "small projects — 1,000 to 5,000 square feet, (also need) management but not as cumbersome."

ASSOCIATED PRESS (PA)

Energy firms want role in next phase of shale case HARRISBURG — The energy industry wants a Pennsylvania state court to let it play a formal role in sorting out the loose ends left to resolve after a landmark court decision on a new state law designed to modernize oil and gas drilling regulations. A hearing is scheduled for Wednesday in Commonwealth Court in Harrisburg over the request to intervene by the Pennsylvania Independent Oil and Gas Association, the Marcellus Shale Coalition and the American Petroleum Institute. The loose ends are left over after the state Supreme Court late last year struck down new restrictions on local governments' ability to control drilling activity in the Marcellus Shale natural gas formation. Meanwhile, the state and other parties that are already in the case filed briefs last week that lay out their arguments about what should happen next, in advance of a hearing before the full Commonwealth Court on May 14. Last month, Commonwealth Court Judge Dan Pellegrini ordered the sides to lay out the issues that remain to be resolved: whether people who use water wells should be notified if there are nearby chemical spills related to drilling; whether the Public Utility Commission must review

local ordinances on the logistics of drilling; if gas transportation or storage companies still have authority to take private land; and if doctors can disclose the contents of chemicals used in the hydraulic fracturing process to their patients and others. None of the parties are currently claiming that the entire law must be thrown out because of the high court ruling, an issue known as severability. That means the impact fee that has been generating more than \$200 million annually for drilling communities and state agencies and grant programs is likely to remain in place. In a statement Tuesday, the American Petroleum Institute said it is seeking to intervene in the case because "there are significant questions regarding the certainty of investments and ability for the natural gas industry to develop across the commonwealth."

WASHINGTON, D.C.

WASHINGTON POST

Area ranks second in green-building count The Washington area has the second-largest number of green buildings in the country for the fifth year in a row, the Environmental Protection Agency announced Thursday. The region grabs the No. 2 spot, with 435 Energy Star-certified buildings that often use at least a third less energy than comparable buildings by improving central heating and lighting efficiency, increasing rain runoff collection and other measures, the EPA said. Los Angeles has the most Energy Star-certified buildings, with 443; there are 23,000 Energy Star-certified buildings nationwide. Atlanta and New York City were named third and fourth in the ratings, respectively. Energy Star-certified buildings in the Washington area include the French and Swedish embassies, the American Society of Landscape Architects, Ashburn Elementary School in Ashburn, Va., Verizon Wireless in Falls Church, Va., and Sunrise Assisted Living in Arlington, Va.

D.C. Area Leaders Glean Lessons From Elk River Chemical Spill The Jan. 9 Elk River chemical spill in West Virginia may now be three months in the past, but elected leaders in the D.C. region are still trying to learn lessons from the water emergency. Stuart Freudberg, senior director of environment and public safety for the Metropolitan Washington Council of Governments, says that unlike the area around Elk River, the D.C. Region doesn't have coal-mining-related chemical plants sitting on the banks of the Potomac. But he also says it would be foolish to think disaster couldn't strike here. "Eighty percent of our water comes from the Potomac — you've got bridges going across there, sewer lines nearby — things can fail," Freudberg says. "So we have to be ready for that." DC Water General Manager George Hawkins says one reason protecting the water supply is so important is the fragility of public trust. Concerns about the safety of drinking water near Elk River are likely to remain long after federal testing deems it healthy to consume. "We want people to be confident in their drinking water — that's the most important thing," Hawkins says. "Once they lose confidence — it's very hard to get it back." But our region's most difficult challenge may simply come down to aging pipes. Hawkins says most of D.C.'s 6-to-8 inch water mains are about 100 years old. DC Water only has the resources to replace 1 percent of them each year. At that rate, the job won't be finished until another century has passed.

Sen. Charles Grassley plans new whistleblower-protection caucus A co-author of the 1989 Whistleblower Protection Act plans to create a new Senate caucus dedicated to upholding the

federal-workforce legislation, which became law 25 years ago to the day. Sen. Charles Grassley (R-Iowa) will announce his intentions on the Senate floor on Wednesday and spend the next six months encouraging colleagues to join the caucus, with a goal of establishing the group by the start of the next session of Congress, according to an announcement from his office.

"Whistleblowers are often treated like skunks at a picnic," the lawmaker said. "It takes guts to put your career on the line to expose waste and fraud, and whistleblowers need senators who will listen and advocate for them."

DELAWARE

WILMINGTON NEWS JOURNAL

Freshwater wetlands plan loses key vote Farm, business and county-level interests blocked a recommendation for state takeover of key freshwater wetland programs Wednesday morning, the latest in a long history of setbacks for the proposal. Gov. Jack Markell personally urged Wetland Advisory Committee members to approve state, rather than federal, management of non-tidal wetlands, saying that the move would reduce frustrations, costs and uncertainties for landowners, developers and businesses. Although a majority of the committee – which will make a recommendation to the Department of Natural Resources and Environmental Control – supported the new state rule, the proposals failed to get a needed two-thirds majority. "We got the majority, we just didn't get two-thirds," said Delaware Nature Society environmental advocate Brenna Goggin. "The majority of the people in the room believe that DNREC should regulate freshwater wetlands." F. Michael Parkowski, the committee's co-chair and the Delaware Bar Association's delegate to the group, said that an interim progress report on the issue will include views of those disagreeing with the rejection. Although talk on other wetland conservation options will continue, options for the state are unclear, he added. "I think it will be difficult to go against the recommendations," Parkowski said. State lawmakers approved a measure calling for a freshwater wetland program under DNREC in May, citing concerns about delays and uncertainties involved with longstanding Army Corps of Engineers permitting and reviews for the federally protected resources. Conservation groups and state regulators supported the idea, citing concerns about loss of increasingly scarce natural habitat and in some cases unique wetland ecosystems. The committee did endorse better use of existing incentive programs that could better protect wetlands, including forest preservation easements and tax credits for protection of land and historic resources.

Commentary: DNREC wants to take over Sussex County's land I've been to a couple of Sussex County Council meetings these past few weeks and have become concerned that the Delaware Department of Natural Resources and Environmental Control — Delaware's version of the federal Environmental Protection Agency — is attempting what could only be termed a huge takeover of private and public lands in Sussex County. The agency, of course, claims it all to be for the greater good of Delaware, which desperately needs DNREC to take care of precious wetlands that private landowners are incapable of protecting. This might not be an exact quote, but it's the gist of it. DNREC already, in conjunction with the Army Corps of Engineers, has control over what is termed Type 3 and Type 2 wetlands. DNREC now seeks to take control of

Type 1 wetlands, which somehow managed to survive all these years without DNREC. Understand: This includes private lands. Imagine having to go through DNREC to cut down a tree. The estimate is that more than 50 percent of Sussex County's land falls into the Type 1 category. The Sussex County Council is pushing back on this notion — and rightfully so. DNREC promises financial incentives to compensate Type 1 wetland owners, and other grants; the bureaucracy makes it sound so simple, an easy route to beautiful wetlands by the divine hand of DNREC. I heard a DNREC employee say the answer, as provided by none other than the EPA, is something called "higher density" housing. This translates to crammed living, such as apartments, condominiums and townhomes. These are fine places to live for those who desire to live in them.

Chamber issues terms for gas tax support Gov. Jack Markell should cut state spending, improve management of the government payroll and dedicate one-time unclaimed property revenue to fund infrastructure improvements if he wants the Delaware State Chamber of Commerce to support his proposed gas tax increase, the business group's leaders said in a letter to the governor. While the business leaders expressed support for additional spending on infrastructure projects, the letter represents another setback for Markell as he seeks support for his tax proposals. Markell has proposed a 10-cent increase in Delaware's per-gallon gas tax and higher property taxes to pay for water-quality improvements. Markell also has proposed borrowing an additional \$50 million in each of the next five years to fund transportation upgrades. The proposals have been met with opposition in Legislative Hall, where many lawmakers are reluctant to take votes on tax increases that could hurt them in elections this fall. Chamber President Rich Heffron and board chair Mark Stellini told Markell they support additional borrowing to pay for road upgrades and waterway cleanup. But they said in the letter that tax increases to pay for infrastructure projects should be a "last resort." "Before taxes are increased to fund these acknowledged needs, it is important that the state look closely at current program funding ... and identify where spending can be reduced and dollars reallocated, at least for the short-term, to help fund the administration's new infrastructure initiatives," they said in the letter, which also was sent to leadership in the General Assembly.

Naamans Creek Clean-up seeks volunteers Brandywine Hundred residents are asked to celebrate Earth Day by volunteering their services Saturday in the annual Naamans Creek Watershed Clean-up. All volunteers are asked to meet at 8 a.m. in the rear of the F&N Shopping Center at Foulk and Naamans Road. Box lunches will be provided to all the participants at noon at Harry's Savoy restaurant on Naamans Road. For information, call Councilman John Cartier's office at (302) 395-8386.

WEST VIRGINIA

CHARLESTON GAZETTE

County may join Freedom suit Members of the Kanawha County Commission may be joining a potential lawsuit against Freedom Industries. Kanawha County Commissioner Dave Hardy will ask fellow county commissioners Kent Carper and Hoppy Shores to vote on whether to join in on any lawsuit filed against the chemical storage company at a regular county commission meeting

next week. "As guardians of the taxpayers' dollar, I don't think we have any choice," Hardy said Wednesday. "The county has definitely suffered some economic damage from the event." On Jan. 9, Freedom Industries leaked more than 10,000 gallons of the coal-cleaning chemical Crude MCHM into the Elk River, not far from West Virginia American Water's main water intake. The spill contaminated drinking water for 300,000 people in nine counties, shut down restaurants and cost local governments hundreds of thousands of dollars. Hardy said just the overtime costs for the Kanawha County Sheriff's Department during the spill and its aftermath come to about \$168,000. On Tuesday, the Kanawha-Charleston Health Department's board of directors voted to join the city of Charleston if city officials sue Freedom Industries over losses from the chemical spill. Dr. Rahul Gupta, chief health officer for the health department, said the department would sue to try to recover part of the \$200,000 the health department lost because of the spill.

WEST VIRGINIA RECORD

Coal companies claim EPA boss not doing her job WHEELING – A dozen coal and energy companies have filed a federal lawsuit claiming the the administrator of the Environmental Protection Agency is not doing her job correctly in regards to the Clean Air Act. The companies filed the lawsuit March 24 in U.S. District Court in Wheeling, claiming Gina McCarthy, as administrator of the EPA, is required to "conduct continuing evaluations of potential loss or shifts of employment which may result from the administration or enforcement of the provision of (the Clean Air Act) and applicable implementation plans, including where appropriate, investigating threatened plant closures or reductions in employment allegedly resulting from such administration or enforcement." The plaintiffs are Murray Energy Company, Murray American Energy Inc., The American Coal Corporation, The Harrison County Coal Company, KenAmerican Resources Inc., The Marion County Coal Company, The Marshall County Coal Copmany, The Monongalia County Coal Company, OhioAmerican Energy Inc., The Ohio County Coal Company and UtahAmerican Energy Inc. The companies claim McCarthy has not taken such actions and, in fact, has enforced the Clean Air Act "in a manner that is causing coal mines to close, costing hard-working Americans their jobs, and shifting employment away from areas rich in coal resources to areas with energy resources preferred by the Agency."

WEST VIRGINIA METRO NEWS

Commentary: The EPA's 'technically feasible' standards The EPA's bait-and-switch on coal continued this week in Washington. During a Senate hearing on the EPA's budget for 2015, administrator Gina McCarthy tried her best to argue that all the agency is really trying to do is give coal a path forward to continue to be part of the nation's energy portfolio. The "bait" the EPA tosses out is carbon capture and sequestration (CCS), the technology that removes carbon dioxide produced during the burning of coal and other fossil fuels. The EPA says it has a responsibility under the Clean Air Act to reduce CO2 emissions and other greenhouse gases because they affect the climate. The EPA's new standards for CO2 make it impossible to build a coal-fired power plant in the future without CCS. The problem, however, is that no one really knows whether the economics of CCS work. Senator John Hoeven (R-N.D.) tried to pin McCarthy down Wednesday, arguing the new carbon emission standards for coal-fired power plants are not achievable because "carbon sequestration is not commercially viable." In her response, McCarthy chose her words carefully. "We believe carbon capture and sequestration is actually *technically feasible* (emphasis added)." Hoeven interrupted McCarthy. "I did not say 'technically feasible,' I said 'commercially viable.'" McCarthy said the term "technically

feasible” is the standard of the law, which means only that the EPA *projects* that the technology will be available when a power plant is built. Well, a manned mission to Mars is technically feasible, but that doesn’t mean we’ll be going anytime soon.

WHEELING INTELLIGENCER

Gas Workers at Risk Of Silica Exposure WHEELING - Breathing only a tiny amount of silica dust per day - enough, roughly, to cover Franklin Delano Roosevelt's nose on a dime - can put a worker at risk for myriad health problems, according to Michael Breitenstein of the National Institute for Occupational Safety and Health. Research by his agency, part of the Centers for Disease Control and Prevention, shows many workers at natural gas wells where hydraulic fracturing, or fracking, takes place are being exposed to the substance in much higher quantities. And according to West Virginia University professor Michael McCawley, the Northern Panhandle of West Virginia and southwestern Pennsylvania - at the heart of Marcellus Shale gas development - are seeing some of the nation's highest rates of mortality due to silicosis, a disease that hardens the lungs through inflammation and development of scar tissue. Breitenstein's and McCawley's presentations were part of a panel discussion on silica exposure at the West Virginia Oil and Natural Gas Association's inaugural ShaleSafe Conference and Expo at Oglebay Park in Wheeling.

ASSOCIATED PRESS (W. VA.)

W. Va.'s McKinley touts bill aimed at EPA CHARLESTON, W. Va. (AP) — Rep. David McKinley is touting legislation that he says would limit federal environmental veto power over permits for coal mines. The 1st District Republican says the House Transportation and Infrastructure Committee voted in favor of his legislation on Wednesday. It now heads to the House floor. The Environmental Protection Agency revoked a Clean Water Act permit in 2011 that the U.S. Army Corps of Engineers had awarded years earlier to Arch Coal Inc. and its Mingo Logan Coal Co. subsidiary. The EPA said destructive, unsustainable practices at the Spruce No. 1 mine in Logan County would cause irreparable environmental damage. McKinley cast his legislation as a job protection measure. He says “hundreds of thousands of jobs” hang in the balance if the EPA is allowed to retroactively revoke permits.

MARYLAND

BALTIMORE SUN

Walmart moves into organic food with Wild Oats relaunch Walmart is moving into organic foods with the relaunch of the Wild Oats brand, the retailer announced Thursday. The mass discounter is promising more affordable prices -- 25 percent savings compared to national brand organic products -- on everything from chicken broth to salsa and pasta sauce. Wild Oats, which was first introduced in 1987, will unveil nearly 100 products in the initial rollout in 2,000 Walmart stores, including stores in the Baltimore area. The Wild Oats Marketplace Organic line adheres to USDA guidelines for organic certification on products such as canned vegetables, spices. Wild Oats Marketplace will feature products such as ready-to-prepare skillet meals, while Wild Oats Marketplace Originals is another line coming later this year. "We know our customers are interested in purchasing organic products and, traditionally, those customers have had to pay

more," said Jack Sinclair, executive vice president of grocery at Walmart U.S. "We are changing that and creating a new price position for organic groceries that increases access," he said. "This is part of our ongoing effort to use our scale to deliver quality, affordable groceries to our customers."

SALISBURY DAILY TIMES

A flood of optimism on nutrient pollution Wicomico River report mixed, but kindles hope cleanup efforts are working. It's not often that Wicomico Creekwatchers science coordinator Judith Stribling describes sharp increases in nutrient pollution as a good thing. But 2013 was an unprecedented year in the 11 years that the group has been collecting water-quality information on the Chesapeake Bay tributary. After three years of drought, the traditional sources of nutrient pollution — animal waste, over-fertilized lawns and farms, septic system drain fields — had become stockpiles of nitrogen and phosphorus. Then, the skies opened up, and the 47 inches of precipitation that followed sent that pollution gushing into the Wicomico River. "It was almost like a worst-case scenario last year," said Stribling, a Salisbury University biology professor, "but there's some evidence that things are better than the long-term average." Contaminant levels were higher almost across the board compared with 2012, when a mere 38 inches of rain fell across the 180-square-mile watershed. Yet, of the four regions of the river monitored by the Creekwatchers, nitrogen concentrations were lower than the 2006-2011 average in the ponds and the upper portion and about the same in the lower portion and Wicomico Creek, the group said in its annual report. Phosphorus concentrations were below average levels in the same areas, but they exceeded the average in the lower river and Wicomico Creek. Those long-term improvements may suggest that efforts to curb nutrient pollution are starting to work, Stribling said. "This is probably the coolest (annual report) yet," she added. "Last year was better, but it was like, well, it's because things were dry. But this time you can say things really are better." Efforts big and small likely influenced the results, Stribling said. She cited the city of Salisbury's storm drain filters, beefed-up state stormwater regulations on new development, cover crops planted by farmers and efforts to educate homeowners about fertilizer use. "That is good news for us," said Lee Richardson, a Willards farmer and a former president of the Wicomico County Farm Bureau. "We've done a lot of things, but haven't seen any improvements."

ANNAPOLIS CAPITAL -GAZETTE

Crofton resident educates people on town's watersheds Dick Lahn spoke in a soft voice, but he easily captivated the 15 or so people who stood in his driveway. "Close your eyes," he said. "Imagine — right where you're standing — what this was like in the 1300s. What was this spot like?" Lahn, a 45-year Crofton resident, was making an attempt to virtually place his visitors in a time and place where land in present-day Crofton was still heavily forested and devoid of harmful chemicals such as pesticides and carcinogens. He was guiding his second tour of the day, escorting nature lovers from his single-family house on Harwell Avenue, through his backyard and along a highly eroded portion of Beaver Creek that separates the Harwell homes from the 7th green at the Crofton Country Club. Lahn and the creek, which is part of the Little Patuxent River watershed, were deemed a good partnership by the town's 50th anniversary planning committee to illustrate for interested Crofton residents the before-and-after effects of the county's stormwater management. "Everything in my whole career has been in environmental stuff," said Lahn, who worked in the Environmental Division at the U.S. Department of Justice and as a lobbyist for the Sierra Club. "I've kind of been embedded in

Anne Arundel County and Crofton doing projects.”

CUMBERLAND TIMES-NEWS

Business tax dominates candidates' forum Candidates were asked if the B&O tax should be kept and if not what should be done to supplement the revenue that it provides to the city. Mayor Randy Amtower and Councilman Herman Judy, both of whom are vying for the mayor's seat, differed on the tax. Judy suggested that the B&O tax should be done away with and merging the Keyser Police Department with the county sheriff's office in order to make up the lack of revenue from the loss of the tax money. “If you were to flat dump all the B&O tax, you should just go buy a bunch of boards and nails and board everything up,” said Amtower, speaking in favor of keeping the tax.

As of last year, the tax represented about 39 percent of Keyser's \$1.5 million general revenue budget. The B&O tax made up about \$578,000 of that general revenue, said Amtower. “If you take over \$500,000 out of a \$1.5 million budget, you are going to have to drop the entire police department, plus the dispatch and a little extra to make up that difference,” said Amtower...

EASTON STAR DEMOCRAT

Environmental center plans summer camps GRASONVILLE — The Chesapeake Bay Environmental Center in Grasonville will host summer camps for students in kindergarten through grade six. Summer sessions run from June 16 through Aug. 22. Among many activities, young campers might search for underwater animals and track down treasures in the woods. Older youth learn ecology, outdoor skills and kayaking. Specialty camps feature an overnight or experience with food, nutrition and gardening or nature. Registration extends through the spring. Cost for members is \$200 per session, \$225 for nonmembers. Cost for specialty session Nature Tykes is \$125 per half-day camp, Night Owls is regular session pricing. Before and after camp care also are available.

MARYLAND GAZETTE NEWSPAPERS

Mount Rainier to host Spring Greening Fair The Mount Rainier Nature and Recreation Center will hold its first Spring Greening Fair from 10 a.m. to 2 p.m. on April 19.

CHESAPEAKE BAY JOURNAL

Maryland's Program Open Space takes cuts, avoids a cap Maryland's Program Open Space limped out of state legislature conferences on Monday after it avoided a cap that would have restricted how much the state would have to spend on land conservation, but with a 50-percent cut to its potential funding. The program is funded by a half-of-one-percent tax on real property transfers, and the revenue is to be set aside for protection of land against future development. This year, the tax generated about \$165 million, but only about half of that will be included in the capital budget for land conservation programs. Overall, Program Open Space has generated about \$2 billion in land preservation funds for farms, local and state parks and ecological conservation since its inception. But another \$1 billion raised by the tax for the program has been diverted to other interests since the fund was first created in 1970. This isn't the first year that legislators have diverted funding from Program Open Space to other programs, but they typically set aside bond money to make up for the shortfalls in the same year. That did not occur this year. However, language was removed from the budget that would have capped at \$100

million the money to be used for land conservation. The Senate had proposed that any money raised by the tax over that amount be diverted to the State Highway Administration for stormwater remediation work.

Blog: Potomac Watershed Roundtable Considers Fracking in the Taylorsville Basin Last minute cancellations from two of the presenters on hydraulic fracturing in the Taylorsville Basin at the April 4, 2014, meeting of the Potomac Watershed Roundtable transformed what was to have been a panel discussion into a one-woman slide presentation from one of its members, Ruby Brabo, supervisor from King George County. Representatives from Dept. of Mines, Minerals, and Energy (the state agency that regulates oil and gas extraction in Virginia) and the Virginia Petroleum Council (the state-wide organization representing oil and gas interests) were to have joined Brabo and the Fairfax water agency to discuss the issues associated with natural gas exploration and development in tidewater Virginia. In spite of the no-shows, the members of the roundtable -- stakeholder representatives, local and state government representatives, and SWCD members from six counties in Northern Virginia -- viewed Brabo's presentation with rapt attention. At the conclusion of Brabo's presentation, and prior to any discussion, citizen member Bruce Holley (Dale City, VA) joined several others in urging the roundtable pass a resolution calling for more study before any drilling for natural gas commenced in the Taylorsville Basin.

VIRGINIA

NORFOLK VIRGINIAN-PILOT

Va. governor to revive climate change panel LEXINGTON Gov. Terry McAuliffe says Virginia can't afford to ignore climate change. The Democratic governor's remarks were greeted with applause Tuesday at an environmental symposium at VMI in Lexington. He also said he plans to reactivate a climate change commission to advise him on what can be done to protect Virginia, according to The Roanoke Times.

ROANOKE TIMES

McAuliffe: Climate change is real and humans have a hand in it LEXINGTON — Virginia's governor on Tuesday told a gathering at the Environment Virginia Symposium something they hadn't heard from that office in four years: Climate change is real, humans have a hand in it and the commonwealth's coastal communities are under a great threat. "If we want to help the environment tomorrow, we have to make smart, common-sense decisions today. The first big decision is to accept climate change is real," Gov. Terry McAuliffe said. "I believe humans contribute to climate change. I think it's pretty much settled. I think the impacts are felt today." McAuliffe's remarks were met with a round of applause by local government officials, policymakers and environmentalists who were gathering Tuesday afternoon for a three-day environmental symposium at Virginia Military Institute. The governor plans to reactivate a climate change commission to advise him on what can be done to protect Virginia. The new governor said the National Oceanic and Atmospheric Administration pegs the Hampton Roads area as the second-most vulnerable in the nation, right behind New Orleans. "It rains a day or two or three, and their roads are shut down. That's just rain," he said. "We cannot afford to ignore this. We've got to prepare our coastal communities to deal with climate change and all

natural disasters.” McAuliffe expanded on his remarks in a brief meeting with the media. "I don't think we have paid attention. The climate change commission hasn't met in four years, and, as you know, we had an attorney general who didn't believe in climate change," he said, referring to his Republican opponent in last fall's gubernatorial campaign, who, while attorney general, sued the University of Virginia to obtain communications by a well-known climate scientist.

CHARLOTTESVILLE TOMORROW

Divided council adopts cost-share agreement for sewer projects After more than two years of negotiations, the Charlottesville City Council and the Albemarle County Service Authority now have an agreement to determine how to share the costs of sewer projects, including a \$33.3 million relocation of the Rivanna Pump Station. "This agreement is for all capital wastewater projects, including those completed in the recent past where the debt is still being paid, as well as those planned in the future," said Lauren Hildebrand, the city's utilities director. The City Council approved the agreement Monday on a 3-2 vote, with Councilors Dede Smith and Bob Fenwick voting against it. The vote came after a lengthy discussion at the council's March 17 meeting when Councilors Kathy Galvin, Satyendra Huja and Kristin Szakos all said they favored the agreement. Smith asked for the vote to be delayed to allow for more public input. The need for the agreement was sparked after the Rivanna Water & Sewer Authority entered into a consent decree with the Virginia Department of Environmental Quality in 2011. That required the pump station facility to be upgraded to allow it to handle up to 53 million gallons of wastewater a day to eliminate the possibility of raw sewage entering the watershed after heavy rainstorms.

DANVILLE REGISTER & BEE

EPA to discuss river clean up The U.S. Environmental Protection Agency and other agencies will hold an open house Monday in Danville for residents to discuss upcoming dredge work to clean up coal ash from near the Schoolfield Dam. The event will take place 4 to 7 p.m. Monday at the Danville Community Market building at 629 Craghead St. Representatives from the EPA, U.S. Fish and Wildlife Service, Virginia Department of Environmental Quality, Virginia Department of Health, city of Danville, U.S. Coast Guard and other participating agencies will attend. The open house will provide an opportunity for residents to discuss on a one-on-one basis planning details for upcoming dredge work near the Schoolfield Dam. There will be no formal presentation.

FRANKLIN NEWS POST

Pigg River still posted after manure spill Signs are still posted along the Pigg River at Waid Park to advise residents to avoid recreational use of the waters -- swimming, fishing, wading or otherwise coming into contact with the water -- until further notice. On April 3, an accidental spill of approximately 30,000 gallons of cow manure wastewater occurred from a holding lagoon near the intersection of Calico Rock Road and Six Mile Post Road, west of Rocky Mount, according to Robert Parker with the Virginia Department of Health. Some of the spill entered a small, unnamed tributary of the Pigg River, upstream from the Waid Park Recreation area, off Six Mile Post Road. "While there is no indication that this spill poses any increased risk to drinking water, it's important to note that any surface waters may contain organisms that cause disease" said Dr. Margaret O'Dell, acting director of the West Piedmont Health District. "Anytime you go swimming, boating, fishing or wading, you should avoid drinking or

swallowing any water from an unknown or unapproved source, and afterward thoroughly wash any area exposed to these waters." Although there is no evidence of any increased risk from catching and eating fish from these waters -- as long as they are thoroughly cleaned and cooked -- the posted advisory recommends that citizens temporarily avoid fishing in these waters. While any potential risk from this spill would be from coming into contact with or swallowing the water, not from eating properly prepared fish, the Virginia Department of Game and Inland Fisheries (DGIF) canceled Heritage Day on Saturday. The annual stocking of trout in the Pigg River was postponed until a later date when there is no fear of contaminants in the water, according to Sgt. Karl Martin.

MISCELLANEOUS

BNA DAILY ENVIRONMENT REPORT

McCarthy Open to Changes on Clean Water Act Jurisdiction The Environmental Protection Agency could finalize a regulation clarifying its authority under the Clean Water Act in "about a year" and has "not made any decision" about the proposed open-pit copper and gold Pebble Mine in Alaska, according to EPA Administrator Gina McCarthy. McCarthy said the one year estimate for a final rule wasn't firm because the agency would take "whatever time it takes" to get the Clean Water Act jurisdiction rule right. She said the agency would make changes to language in the proposal or rethink its approach based on significant additional outreach efforts it planned to undertake.

Speaking before a Senate Appropriations subcommittee, McCarthy also said the agency would "likely" finalize its 2014 renewable fuel standard in June. She also fielded concerns from Republicans about the impact the agency's forthcoming carbon pollution regulations for power plants would have on the national economy. Democrats and Republicans also criticized the EPA's proposed cuts of \$581 million to the EPA's clean water and drinking water state revolving funds. President Barack Obama's proposed \$7.89 billion budget for the EPA in fiscal year 2015 was the subject of the hearing, although discussions focused heavily on non-budgetary issues.

EPA Workforce Cuts to Affect Technical Assistance, Grants A reduced workforce at the EPA owing to spending constraints will affect the level of grants and technical assistance that the agency can offer to states and localities, EPA Deputy Administrator Perciasepe says. He tells the National Clean Water Policy Forum that the EPA is reducing its workforce by almost 2,000 people. On April 4 alone, Perciasepe says, 450 people left the agency under a voluntary retirement program. [More »](#) ... In light of the January chemical spill into West Virginia's Elk River, drinking water utilities ought to begin updating their source water protection plans to be prepared for threats to supplies, Perciasepe says. [More »](#) ... The EPA plans to propose revisions to its 20-year-old lead-and-copper drinking water rule after an agency working group completes its deliberations, which should take "about a year," the agency's top drinking water official tells the forum.

EPA Defers Stormwater Rule, Current Authority Adequate, Stoner Says Action on a national stormwater rule has been deferred because the EPA has concluded that its existing authority under the Clean Water Act provides adequate tools to tackle the problem, the head of the agency's water office says. "We need to maximize what we can do by creating incentives," Nancy Stoner tells the National Clean Water Policy Forum.

Committee Passes Bill to Limit EPA Authority to Veto Section 404 Permits The House Transportation and Infrastructure Committee approves a bill (H.R. 524) that would restrict the EPA's ability to revoke dredge-and-fill permits already issued by the U.S. Army Corps of Engineers. The committee approves the bill by a 34-20 vote, with support from Republicans and some Democrats.

GREENWIRE

Va. governor reactivates state climate panel At the Environment Virginia Symposium on Tuesday, Virginia's governor said climate change is real and man-made and that the state's coastal communities are at risk. "If we want to help the environment tomorrow, we have to make smart, common-sense decisions today. The first big decision is to accept climate change is real," Gov. Terry McAuliffe (D) said. "I believe humans contribute to climate change. I think it's pretty much settled. I think the impacts are felt today." The attendees -- a mix of policymakers, environmentalists and local government officials -- gave McAuliffe's remarks an enthusiastic round of applause. The governor also said he plans to restart a state climate change commission to figure out what steps to take to protect Virginia. "I don't think we have paid attention. The climate change commission hasn't met in four years, and, as you know, we had an attorney general who didn't believe in climate change," he said, referring to his Republican opponent in last fall's gubernatorial campaign, who while attorney general sued the University of Virginia to acquire communications by a prominent climate scientist. "We need to do everything we can to protect the commonwealth," McAuliffe said. But he didn't delve into how much it would cost -- and what could actually be done. The governor also stated that he will attempt to diversify Virginia's economy by boosting the energy sector. "Finally, we have moved forward on sale of leases offshore," he said, expecting construction of the offshore wind farm to be underway at the end of his term. He also said Virginia must reach out to turbine, pole and blade manufacturers

PENNSYLVANIA: Energy companies to pay state \$630M in drilling fees in 2014 Energy companies will pay Pennsylvania \$630 million in drilling fees this year. The fees from Chesapeake Energy Corp., Anadarko Petroleum Corp. and other companies drilling in the Marcellus Shale help pay for infrastructure projects and government services, including environmental regulations. "We are building a stronger Pennsylvania by harnessing our abundant resources to create jobs for working families, reinvest in our local communities and protect our environment," said Gov. Tom Corbett (R). Critics argue that the drilling fees are too low, oftentimes citing states like Texas that have higher tax rates on natural gas production. But Corbett spokesman Patrick Henderson said the comparison ignores Pennsylvania's corporate taxes. "We're competing for capital investment with other shale plays. All of those are a factor in our business climate," Henderson said

COAL ASH: N.C. regulators side with Duke against cleanup ruling North Carolina's environmental regulators are siding with Duke Energy Corp. through an appeal of a ruling over cleaning up groundwater polluted by the company's coal ash dumps. Environmentalists say the appeal by the state Environmental Management Commission contradicts Gov. Pat McCrory's (R) public statements suggesting he was getting tough on the energy company. McCrory previously worked for Duke, and the company and some of its employees have contributed generously to McCrory's political campaign and Republican-allied groups to the tune of \$1.1 million since 2008. A spokesman for the governor said the EMC operates independently from the administration, though McCrory directly appointed eight of the commission's 15 members. The battle with Duke began last year when environmental groups sued the company over groundwater pollution under the Clean Water Act

GOP senators grill EPA chief over rule proposal, priorities U.S. EPA Administrator Gina McCarthy reassured Republican senators on Capitol Hill this morning that she's open to working with the agricultural community on new clean water rules that many are concerned will negatively affect their operations. After questioning from several farm-state GOP senators at a budget hearing of the Senate Interior, Environment and Related Agencies Appropriations Subcommittee, McCarthy said: "In the end, if people don't think this is the right strategy, we can certainly rethink it; it is a proposed rule." "Our farmers are very concerned about this. Farm groups [are concerned] that you're extending the reach of EPA beyond navigable waters to anything that you determine has significant nexus, which we have no idea what that means," said Sen. John Hoeven (R-N.D.). McCarthy said the rules are intended to allow farmers to continue their normal farming "with more confidence," given the existing agricultural exemptions.

ASSOCIATED PRESS

New Book on Fracking Illuminates Pros, Cons "The Boom" (Simon & Schuster), by Russell Gold. The once-obscure oil and gas drilling process known as fracking has generated hundreds of billions of dollars and considerable dissent, as communities and experts argue over how to balance the vast amounts of money at stake with environmental and health risks. In "The Boom," Russell Gold brings new clarity to a subject awash in hype from all sides. "The Boom" is a thoughtful, well-written and carefully researched book that provides the best overview yet of the pros and cons of fracking. Gold quietly leads both supporters and critics of drilling to consider other views, and that's a good thing. A long-time energy reporter for The Wall Street Journal, Gold has an impressive range of knowledge, and his clear prose makes wonky topics such as well casings and methane leaks understandable. But even more important, he brings the fracking battles to life with personal stories that go beyond stereotypes. For example, Gold's left-wing parents bought some rocky Pennsylvania farmland in the early 1970s with a group of like-minded friends, expecting it to be a quiet refuge from the big city. It was that, but also turned out to be sitting on top of vast deposits of natural gas. Gold's parents ponder what they could gain or lose with drilling, see how neighbors feel and ultimately decide to sign a lucrative Marcellus Shale lease.

MESOTHELIOMA.COM

Asbestos Discovery Angers Residents of Apartment Complex Alexandria, Virginia - Residents of Hunting Point, a 530-unit apartment complex, had plenty of questions for federal regulators,

local authorities, and their landlord during a town board meeting on April 5. After three months of renovation on units, a stop-work order was issued by the Environmental Protection Agency after one of its investigators discovered asbestos in the doors, floors, and windows. Since the beginning of the year, the EPA visited the apartment complex four times and observed asbestos crumbling in apartments, halls, and trash areas. There were no signs indicating the hazardous conditions, the area was not sealed off, and the workers were not certified to handle asbestos-containing debris. The EPA's next step is to test the apartment complex for airborne asbestos fibers. More than a hundred unhappy residents of Hunting Point gathered to hear the EPA's explanations regarding the stop-work notice, and to offer some opinions of their own. "This isn't even negligence," said resident Stephanie Ackerman, "it's recklessness." "The thing I find most disconcerting is it was necessary for a resident to bring this to your attention," resident Doug Meckes said. "I'd like to know where the town of Alexandria was." Protecting the public is the main purpose behind the strict asbestos regulations that exist. Although asbestos widespread-use has been banned since the 1970s, it is frequently discovered during renovation and demolition projects involving old buildings. Inhaling asbestos fibers can be extremely detrimental to one's respiratory health. Exposure to the harmful material can lead to a variety of diseases, and it is solely responsible for the development of mesothelioma.